

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

IN RE: YESENIA TERREFORTE QUIGLEY DEBTOR(S)	CASE NUMBER: 09-06284 ESL CHAPTER 13 ASSET CASE
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DEBTOR'S MOTION UNDER SECTION 1329 OF THE BANKRUPTCY CODE

THE HONORABLE COURT:

COMES NOW, Debtor (s) through the undersigned attorney and respectfully ALLEGES and PRAYS:

1. That debtor (s) filed and circulated a MODIFIED PLAN to all parties in interest.

2. That the modification is based in that the Debtor (s) wants to amend their plan in order to:

a. **Debtor has a new member of her family and she needs to make adjustments of her income and report new expenses in order to comply with her duties as chapter 13 debtors.**

3. Debtor (s) amend plan call twenty two (22) payments of \$650.00 and thirty eight (38) payments of \$550.00 for a total base of \$35,200.00 dollars with a provision for the payment to paid secured arrears to RG Mortgage, account ending number-7045 and full payment of Popular Auto, account ending number-0002.

4. Debtor (s) are still is interested in continuing with the bankruptcy procedures and proof if the amendment of the plan in order to comply with the disbursement schedules.

WHEREFORE, Debtor (s) respectfully request from this Honorable Court to accept this motion and grant debtor (s) the opportunity to modify the confirmed plan according to 11 US 1329 and provide any other remedy it may deem appropriate.

NOTICE

"Parties in interest are notified they have twenty one (21) days to reject a proposed modification of a plan and request a hearing. If no opposition is filed within the prescribed period of time, the Court will enter and order granting the motion upon the filing of a certificate of service by the movant that adequate notice was given. Should an opposition be timely filed. The Court will schedule the motion for a hearing as a contested matter. Absent good cause, untimely rejections shall be denied".

In San Juan, Puerto Rico, this 13th, day of June 2011.

RESPECTFULLY SUBMITTED.

/s/ Marilyn Valdes Ortega
MARILYN VALDES ORTEGA
USDC PR 214711
P.O. Box 19559
San Juan, PR 00919-5596
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**United States Bankruptcy Court
District of Puerto Rico**

IN RE:

TERREFORTE QUIGLEY, YESENIA

Case No. **09-06284**

Chapter **13**

Debtor(s)

CHAPTER 13 PAYMENT PLAN

1. The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to the Trustee directly by payroll deductions as hereinafter provided in the PAYMENT PLAN SCHEDULE.
2. The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDEULE.

PLAN DATED: <input type="checkbox"/> PRE <input checked="" type="checkbox"/> POST-CONFIRMATION		<input checked="" type="checkbox"/> AMENDED PLAN DATED: 6/13/2011 Filed by: <input checked="" type="checkbox"/> Debtor <input type="checkbox"/> Trustee <input type="checkbox"/> Other																															
I. PAYMENT PLAN SCHEDULE <hr/> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%;">\$</td> <td style="width: 15%;">650.00</td> <td style="width: 15%;">x</td> <td style="width: 15%;">22</td> <td style="width: 15%;">= \$</td> <td style="width: 15%;">14,300.00</td> </tr> <tr> <td>\$</td> <td>550.00</td> <td>x</td> <td>38</td> <td>= \$</td> <td>20,900.00</td> </tr> <tr> <td>\$</td> <td></td> <td>x</td> <td></td> <td>= \$</td> <td></td> </tr> <tr> <td>\$</td> <td></td> <td>x</td> <td></td> <td>= \$</td> <td></td> </tr> <tr> <td>\$</td> <td></td> <td>x</td> <td></td> <td>= \$</td> <td></td> </tr> </table> <hr/> <p style="text-align: center;">TOTAL: \$ 35,200.00</p> <hr/> <p>Additional Payments: \$ _____ to be paid as a LUMP SUM within _____ with proceeds to come from: _____</p> <hr/> <p><input type="checkbox"/> Sale of Property identified as follows:</p> <hr/> <p><input type="checkbox"/> Other:</p> <hr/> <p>Periodic Payments to be made other than, and in addition to the above: \$ _____ x _____ = \$ _____</p> <hr/> <p>PROPOSED BASE: \$ 35,200.00</p> <hr/> <p>III. ATTORNEY'S FEES (Treated as § 507 Priorities)</p> <p>Outstanding balance as per Rule 2016(b) Fee Disclosure Statement: \$ 2,800.00 <i>Additional Fees 350.00</i> <i>Total: 3150.00</i></p> <p><i>J. Tesc J.L.</i></p> <p>Signed: /s/ YESENIA TERREFORTE QUIGLEY Debtor</p> <p>Joint Debtor</p>		\$	650.00	x	22	= \$	14,300.00	\$	550.00	x	38	= \$	20,900.00	\$		x		= \$		\$		x		= \$		\$		x		= \$		II. DISBURSEMENT SCHEDULE <hr/> <p>A. ADEQUATE PROTECTION PAYMENTS OR \$ _____</p> <p>B. SECURED CLAIMS: <input type="checkbox"/> Debtor represents no secured claims. <input checked="" type="checkbox"/> Creditors having secured claims will retain their liens and shall be paid as follows:</p> <ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> Trustee pays secured ARREARS: Cr. RG MORTGAGE Cr. _____ # 7045 # _____ \$ 650.00 \$ _____ 2. <input checked="" type="checkbox"/> Trustee pays IN FULL Secured Claims: Cr. POPULAR AUTO Cr. _____ # 0002 # _____ \$ 14,307.89 \$ _____ 3. <input type="checkbox"/> Trustee pays VALUE OF COLLATERAL: Cr. _____ Cr. _____ Cr. _____ # _____ # _____ # _____ \$ _____ \$ _____ \$ _____ 4. <input type="checkbox"/> Debtor SURRENDERS COLLATERAL to Lien Holder: 5. <input type="checkbox"/> Other: 6. <input checked="" type="checkbox"/> Debtor otherwise maintains regular payments directly to: RG MORTGAGE <p>C. PRIORITIES: The Trustee shall pay priorities in accordance with the law. 11 U.S.C. § 507 and § 1322(a)(2)</p> <p>D. UNSECURED CLAIMS: Plan <input checked="" type="checkbox"/> Classifies <input type="checkbox"/> Does not Classify Claims.</p> <p>1. (a) Class A: <input checked="" type="checkbox"/> Co-debtor Claims / <input type="checkbox"/> Other: <input type="checkbox"/> Paid 100% / <input type="checkbox"/> Other:</p> <p>Cr. BANCO POPULAR D Cr. ISLAND FINANCE Cr. # 0004 # 0183 # _____ \$ 7,162.21 \$ 4,590.99 \$ _____</p> <p>2. Unsecured Claims otherwise receive PRO-RATA disbursements.</p> <p>OTHER PROVISIONS: (Executory contracts; payment of interest to unsecureds, etc.) TRUSTEE TO PAY ATTORNEY'S FEES BEFORE ANY SECURED OR PRIORITY CREDITOR.</p> <p>ADEQUATE PROTECTION PAYMENT TO POPULAR AUTO ACCOUNT ENDING #0002 UNTIL CONFIRMATION \$150.00 TO BE PAID BY TRUSTEE MONTHLY.</p> <p>NO INSURANCE IS NEEDED LIENHOLDER POPULAR AUTO ACCOUNT ENDING #0002 HAS BEEN SATISFIED BY MATURITY DATE ON JULY 2012.</p> <p>ANY POST PETITION INCOME TAX RETURNS THAT MAY PROSPECTIVELY ARISE FROM EITHER FEDERAL AND/OR STATE TAXES FOR THE DURATION OF THE PLAN WILL BE USED AS NEEDED TO FUND THE PLAN IN ORDER TO MAXIMIZE THE DISTRIBUTION TO GENERAL UNSECURED CREDITORS. AFTER ITS CONFIRMATION AND WITHOUT THE NEED FOR ANY FURTHER NOTICE, HEARING OR COURT ORDER, THE PLAN SHALL BE DEEMED MODIFIED BY THE INCREMENT(S) TO ITS BASE</p>	
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Attorney for Debtor **Marilyn Valdes Ortega Law Offices**

Phone: **(787) 758-4400**

I HEREBY CERTIFY: That I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System which will send notification of such filing to the following:

09-06284-ESL13 Notice will be electronically mailed to:

JOSE RAMON CARRION MORALES
newecfmail@ch13-pr.com

MONSITA LECAROZ ARRIBAS
ustpregion21.hr.ecf@usdoj.gov

MARILYN VALDES ORTEGA on behalf of Debtor
valdeslaw@prtc.net

I HEREBY CERTIFY: That I have mailed by regular mail to all creditors listed.

09-06284-ESL13 Notice will not be electronically mailed to:

AMERICAN EDUCATION SERVICES
PO BOX 2461
HARRISBURG, PA 17105-2461

BANCO POPULAR DE PR
PO BOX 71375
SAN JUAN, PR 00936-7077

CARD MEMBER SERVICE
CHASE
PO BOX 94014
PALATINE, IL 60094-4014

DEPARTAMENTO DE HACIENDA
PO BOX 9024140
OFICINA 424 B
SAN JUAN, PR 00902

DEPARTAMENTO DEL TRABAJO
AVE. MUÑOZ RIVERA 505
HATO REY, PR 00918

FEDERAL LITIGATION DEPT OF
JUSTICE
PO BOX 9020192
SAN JUAN, PR 00902-0192

GE MONEY BANK
PO BOX 103104
ROSWELL, GA 30076

INTERNAL REVENUE SERVICE
MERCANTIL PLAZA BLDG, ROOM 1014
2 PONCE DE LEON AVE. STOP 27
1/2
SAN JUAN, PR 00918-1693

ISLAND FINANCE
130 EXP. MARTINEZ NADAL 103
GUAYNABO, PR 00969

MARIA M. QUIDLEY
QTAS. HJARDINES DE PALMAREJO II
CALLE MONTE REAL, SAN ISIDRO
CANOVANAS, PR 00729

MIGUEL A. PENA
QTAS. JARDINES DE PALMAREJO II
CALLE MONTE REAL, SAN ISIDRO
CANOVANAS, PR 00729

POPULAR AUTO
PO BOX 15011
SAN JUAN, PR 00693-4748

RG MORTGAGE
PO BOX 362394
SAN JUAN, PR 00936-2394

WFNNB
BANKRUPTCY DEPARTMENT
PO BOX 182125
COLOMBUS, OH 43218-2125